

2017R00068

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**FILED**  
FEB 06 2020  
AT 8:30  
1:45 PM  
WILLIAM T. WALSH  
CLERK

UNITED STATES OF AMERICA : Crim. No. 20- 127  
: (Jmv)  
v. : 18 U.S.C. §§ 2113(a) and (d)  
: 18 U.S.C. § 924(c)(1)(A)(ii)  
JOSE LUIS MARTINEZ :  
:

**INDICTMENT**

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

**COUNT ONE**  
**(Armed Bank Robbery)**

On or about January 5, 2017, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

JOSE LUIS MARTINEZ,

by force, violence and intimidation, did take from the person and presence of another, approximately \$35,000 in United States currency belonging to and in the care, custody, control, management and possession of a bank located in Secaucus, New Jersey, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, JOSE LUIS MARTINEZ, did assault and put in jeopardy the life of another person by the use of a dangerous weapon, that is a firearm.

In violation of Title 18, United States Code, Sections 2113(a) and 2113(d).

**COUNT TWO**  
**(Use of a Firearm During and in Relation to a Crime of Violence)**

On or about January 5, 2017, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

JOSE LUIS MARTINEZ,

did knowingly carry and use a firearm, during and in relation to a crime of violence, for which the defendant may be prosecuted in a court of the United States, namely, the armed bank robbery charged in Count One of this Indictment, which firearm was brandished.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

**FORFEITURE ALLEGATION**

1. As the result of committing the offense of armed bank robbery in violation of 18 U.S.C. §§ 2113(a) and (d), as charged in Count One of this Indictment, defendant JOSE LUIS MARTINEZ, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offense, and all property traceable thereto, including but not limited to \$35,000 in United States currency.

**Substitute Assets Provision**

2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of

the defendant up to the value of the above forfeitable property.

A TRUE BILL

  
FOREPERSON

  
CRAIG CARPENITO  
United States Attorney

**CASE NUMBER: 20-CR-127**

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**United States District Court  
District of New Jersey**

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**UNITED STATES OF AMERICA**

**v.**

**JOSE LUIS MARTINEZ**

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**INDICTMENT FOR**

**18 U.S.C. §§ 2113 (a) and (d)  
18 U.S.C. § 924 (c)(1)(A)(ii)**

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**A True Bill,**

  
**Foreperson**

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**CRAIG CARPENITO**  
*UNITED STATES ATTORNEY  
FOR THE DISTRICT OF NEW JERSEY*

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CASSYE COLE  
ASSISTANT U.S. ATTORNEY  
NEWARK, NJ  
973-297-2023

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